

Sep 17, 2012

Custodian of Records

Colorado State Attorney General

1525 Sherman St.

Denver, Colorado 80203

Re: Records Request

Dear Records Custodian:

The following is a request for records under Colorado's open records laws. If you are not the proper custodian of records for this request, please forward this request on to the appropriate designee. For the purpose of these requests, the term "records" is used as defined in Colorado open records laws, and refers to any recorded information, whether kept in written, electronic, or any other form.

Pursuant to the state open records act, I request access to and copies of any Attorney General's opinion as to the constitutionality and legality of rules enacted by the State Board of Parole pursuant to authority granted to them under C.R.S. 17-2-201. State board of parole, subsection (3), for the period July 1998 through August 2012, as required by C.R.S. 24-4-103, section 8(b).

This request is for any record of discussion related to specific rules or policies rules that the Attorney General has provided an opinion for in accordance with C.R.S. 24-4-103, section 8(b) and the opinion that was provided.

I request a waiver of all fees for this request since I am seeking these records for a non-commercial public purpose, specifically to review the State Board of Parole's compliance with their statutory authority under C.R.S. 17-2-201 (3), which will contribute significantly to the public understanding of the operations or activities of the State Board of Parole, making the disclosure a matter of public interest.

If the records are in electronic form or can be scanned and sent by email, I request to receive those records solely by electronic means sent to my email address below.

If the copies cannot be transmitted electronically, and any anticipated charges will total less than \$75.00, please mail the copies of the records to me with an itemized invoice. However, if the anticipated charges will be in excess of \$75.00, or if your office requires prepayment for copies, please contact me first before processing my request, as I may elect to first inspect the records, and then designate certain records for copying.

If you deny this request for records in whole or in part, I ask that you provide a written statement of the reasons for the denial that cites the law or regulation that you rely on for each record withheld. If any of the requested records are in active use, in storage or otherwise unavailable at this time, I request that you set a date and hour when the records will be available for inspection.

I realize that the records requested may be quite voluminous. If this is the case, please give me a call and I would be happy to discuss with you what records are in your custody and how I can narrow the scope of the request to minimize any burden on your staff while still providing the information sought in the request.

If you have any questions about this request, please do not hesitate to give me a call or send me an email. I look forward to your response at your earliest convenience, and no later than three business days, as required by Colorado law. Thank you in advance for your time.

Thank you for your assistance.



JOHN W. SUTHERS
Attorney General

CYNTHIA H. COFFMAN
Chief Deputy Attorney General

DANIEL D. DOMENICO
Solicitor General

STATE OF COLORADO
DEPARTMENT OF LAW

OFFICE OF THE ATTORNEY GENERAL

STATE SERVICES BUILDING
1525 Sherman Street - 7th Floor
Denver, Colorado 80203
Phone (303) 866-4500

October 2, 2012

Michael Dell
Post Office Box 7474
Colorado Springs, CO 80933-7474

RE: September 17, 2012 Open Records Request

Dear Mr. Dell,

We have conducted an exhaustive search for documents responsive to your request for formal opinions issued by the Attorney General regarding the constitutionality and legality of rules enacted by the State Board of Parole from July 1998 – August 2012. That effort has produced no responsive documents.

Our office recommends that you contact the Administrative Rules Program Manager at the Colorado Department of State as well as the State Parole Board to explore whether they may be in possession of responsive records.

I do wish to thank you for your understanding and patience while we completed our internal search.

Sincerely,

FOR THE ATTORNEY GENERAL

Carolyn Tyler
Communications Director
Office of the Attorney General
E-mail: Carolyn.Tyler@state.co.us